

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND
ENVIRONMENTAL CONSULTANTS

A Practicing Geoprofessional Business Association Member Firm



December 27, 2019

Maryland Department of Natural Resources
Wildlife and Heritage Division
Tawes Office, Building E-1
Annapolis, Maryland 21401

Attn: Ms. Lori Byrne

Re: Threatened / Endangered Species Inquiry
Somerset County Gas Main Expansion
Somerset County, Maryland

Dear Ms. Byrne:

Chesapeake Utilities (Chesapeake) is a natural gas distribution company headquartered in Dover, Delaware. Chesapeake is a fully owned subsidiary of Chesapeake Utilities Corporation, which is a diversified utility company engaged in natural gas distribution, transmission and other related businesses on the Delmarva Peninsula.

Chesapeake is planning a project to construct, own, operate and maintain approximately 9.76 miles of 6-inch diameter buried natural gas pipeline, extending from the intersection of Mercer Road and Ocean Highway (U.S. Route 13) southwest to the intersection of U.S. Route 13 and Revells Neck Road, in the Princess Anne area of Somerset County, Maryland. The pipeline will generally be located within public road rights-of-way, approximately five (5) feet from the edge of the roadway pavement.

On behalf of Chesapeake, Geo-Technology Associates, Inc. (GTA) respectfully requests that you verify the presence or absence of threatened or endangered species on, or in the vicinity, of the project area and notify us in writing of your findings. A Topographic Map depicting the approximate limits of the project is enclosed. Should you have any questions or need additional information, please contact this office at (410) 515-9446.

Sincerely,
GEO-TECHNOLOGY ASSOCIATES, INC.



Justin Weber
Project Scientist

JMW/cds
31191824

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Enclosures

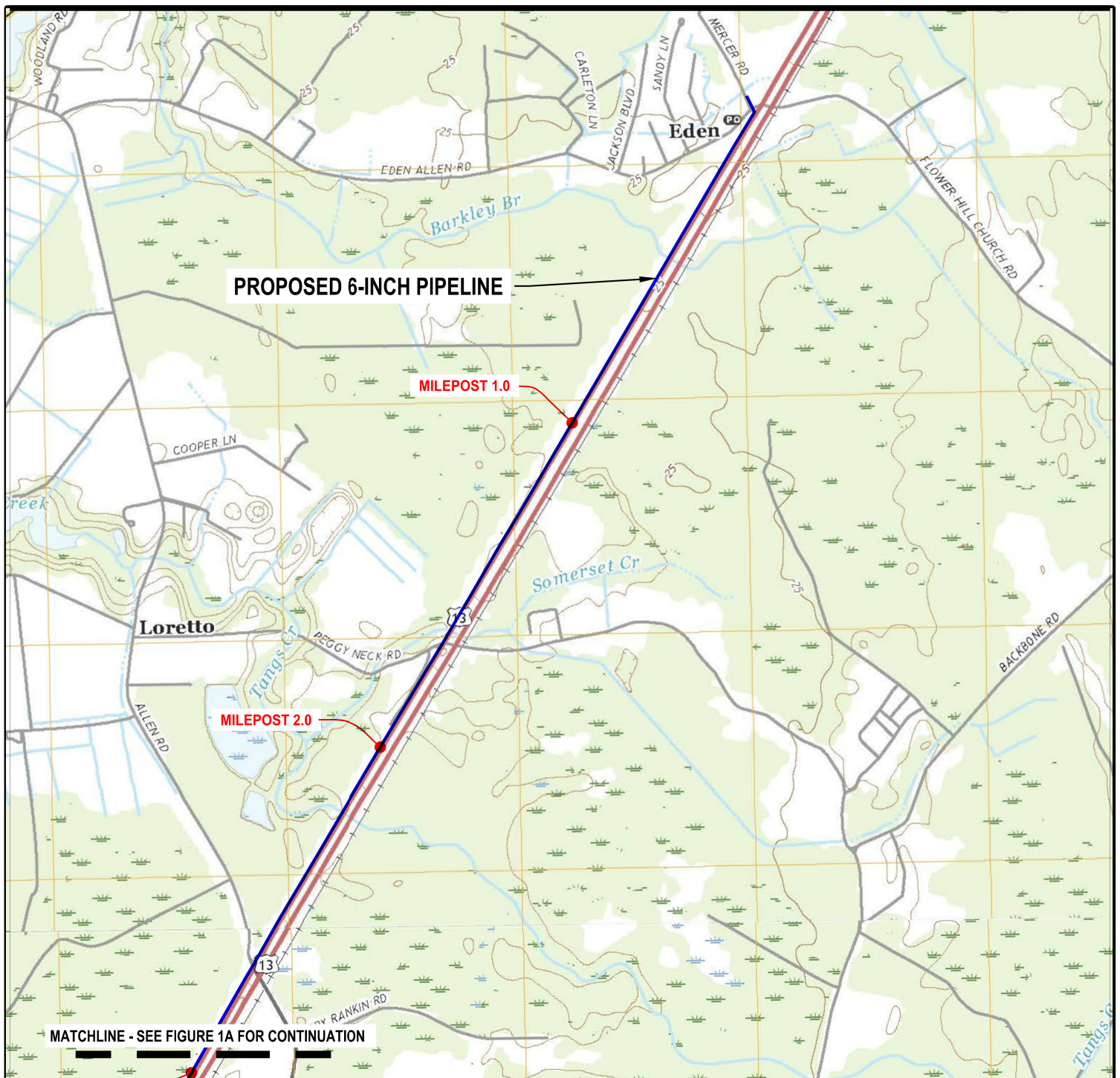
3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009

(410) 515-9446

Fax: (410) 515-4895

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SOURCE: PLAN ADAPTED FROM 2019 TOPOGRAPHIC QUADRANGLES OF EDEN, MARYLAND AND PRINCESS ANNE, MARYLAND



0 1000 2000

Approximate Scale
1 inch = 2000 feet



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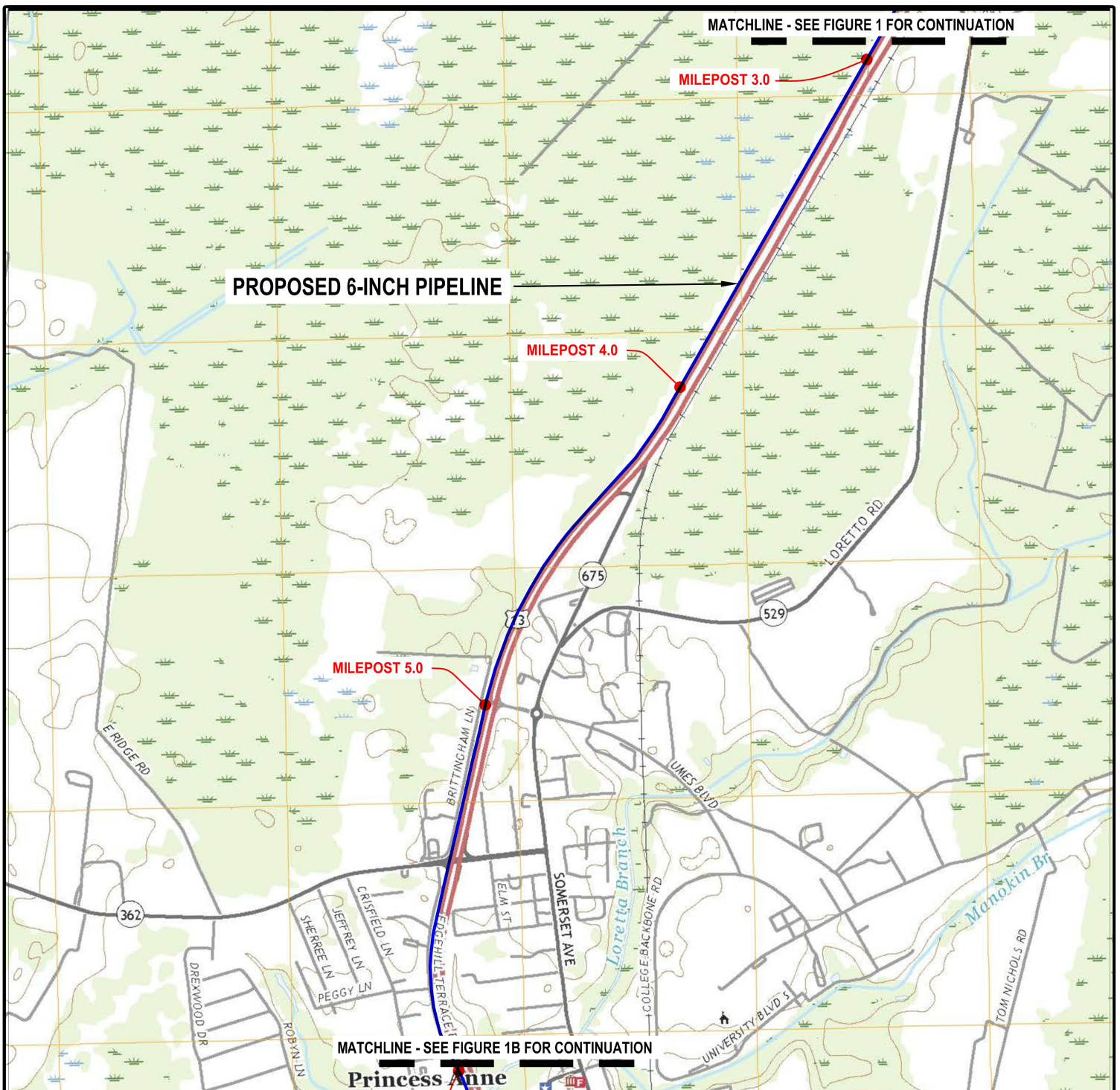
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TOPOGRAPHIC MAP SOMERSET COUNTY GAS MAIN EXPANSION

SOMERSET COUNTY, MARYLAND

JOB NO.	31191824	SCALE:	1"=2,000'	DATE:	DECEMBER 2019	DRAWN BY:	JMW	REVIEW BY:	TAS	FIGURE:	1
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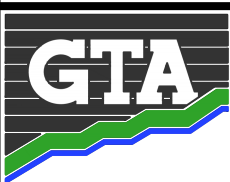


SOURCE: PLAN ADAPTED FROM 2019 TOPOGRAPHIC QUADRANGLES OF EDEN, MARYLAND AND PRINCESS ANNE, MARYLAND



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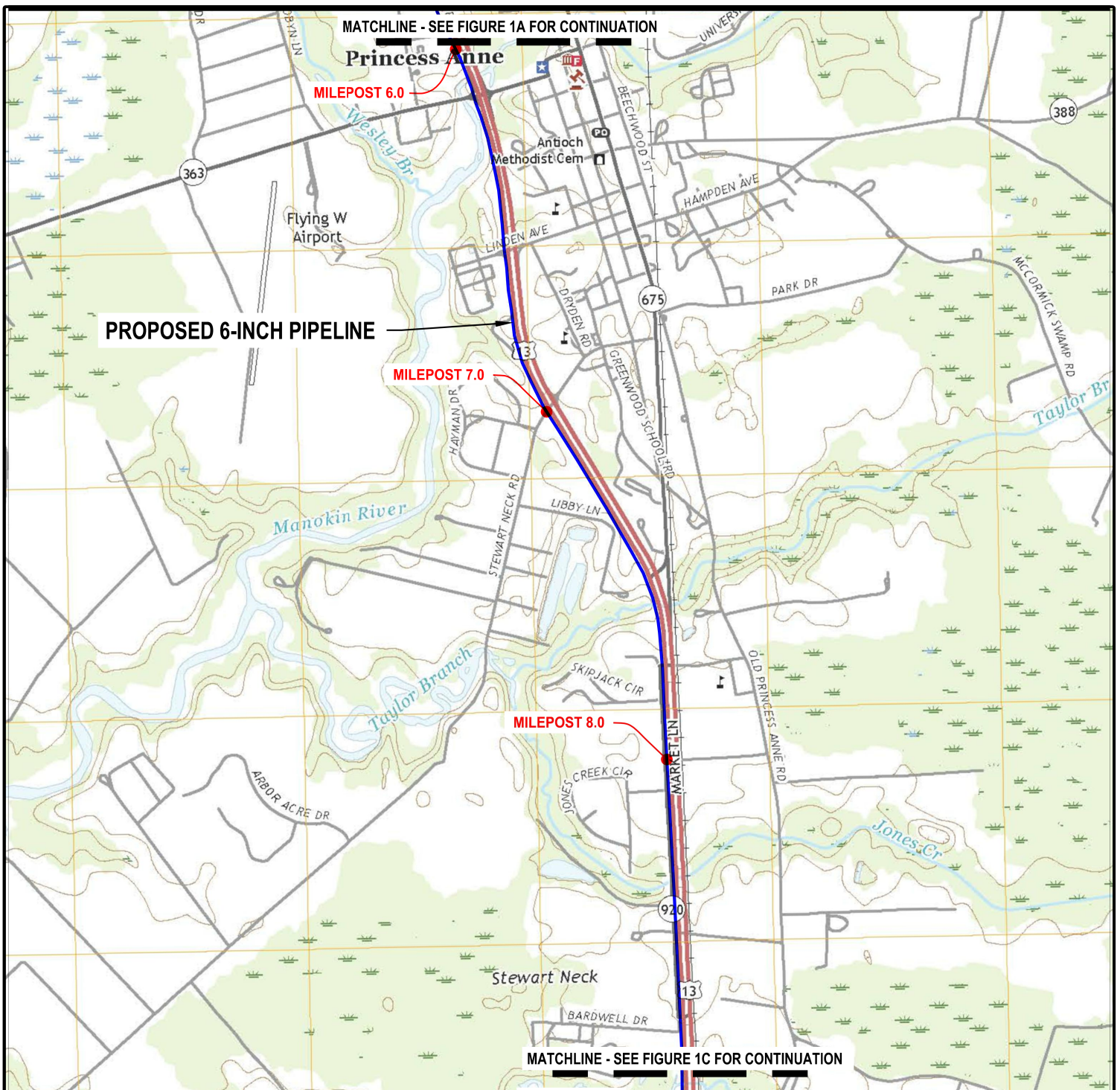
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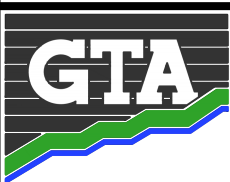


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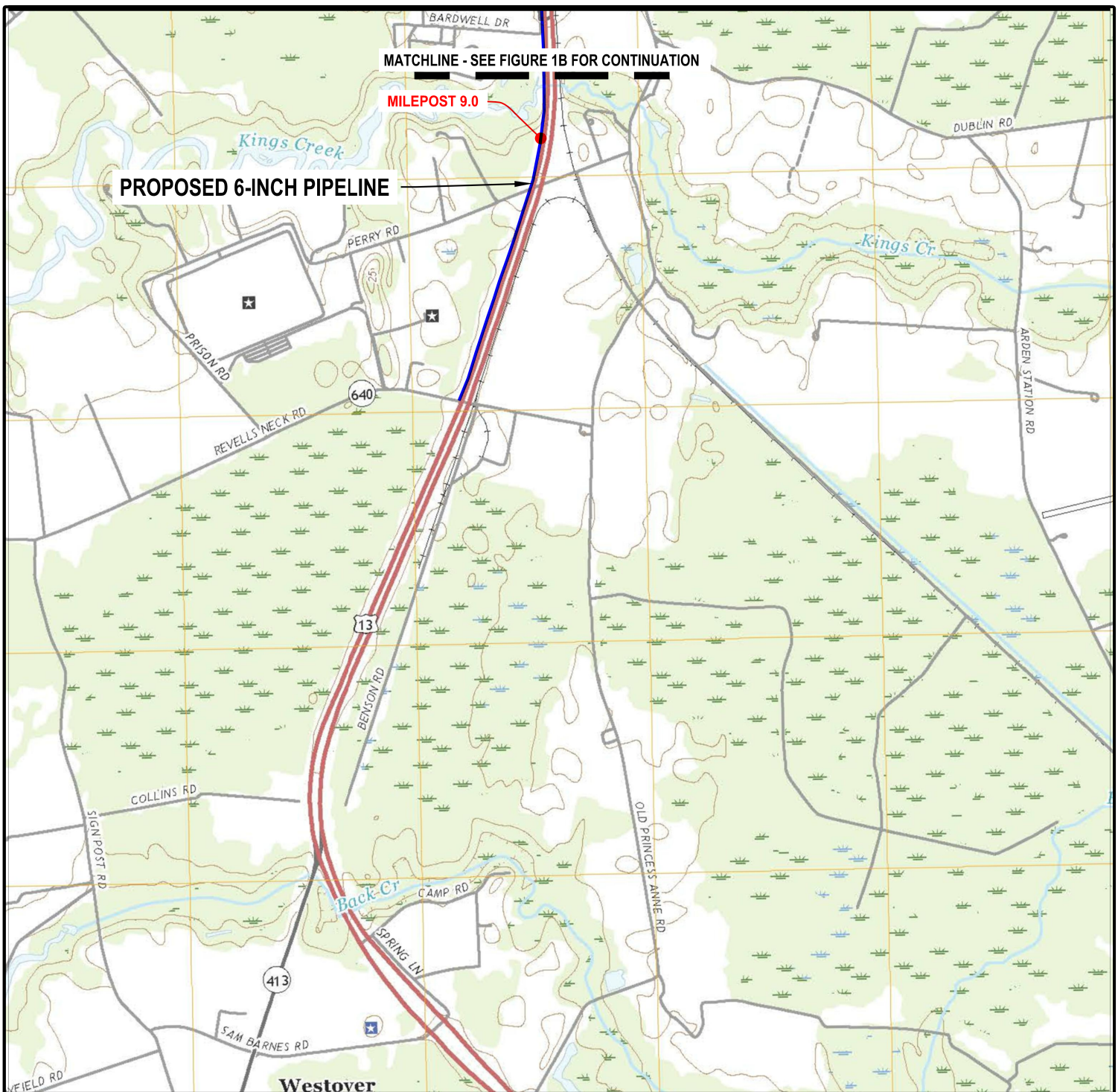
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TOPOGRAPHIC MAP SOMERSET COUNTY GAS MAIN EXPANSION

SOMERSET COUNTY, MARYLAND

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SOMERSET COUNTY, MARYLAND

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Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

February 13, 2020

Mr. Justin Weber
Geo-Technology Associates, Inc.
3445-A Box Hill Corporate Center Drive
Abingdon, Maryland 21009

RE: Environmental Review for Somerset County Gas Main Expansion - Chesapeake Utilities 9.76 miles of 6-inch natural gas pipeline from Mercer Road/US Route 13 and US Route 13/Revells Neck Road, Somerset County, Maryland.

Dear Mr. Weber:

The Wildlife and Heritage Service has determined that there are the following areas along the project route where rare, threatened or endangered species have been documented. Further coordination with us may be warranted, in order to develop avoidance and minimization measures for the proposed work in these areas:

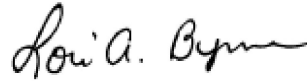
On the eastern side of US Route 13 at the Princess Anne railroad tracks, there is a record for three sub-populations of state-listed threatened Crossleaf Milkwort (*Polygala cruciata*). This record describes the plants as being located in a saturated, open powerline right-of-way, with emergent vegetation. These sub-populations are located approximately halfway between Milepoint 3 and Milepoint 4 and the Split of US Route 13 at MD Route 675. The proposed work has the potential to directly impact these occurrences.

There is a portion of the Manokin River which is designated in state regulations as a Wetland of Special State Concern, which falls within the project route near the US Route 13/MD Route 363 intersection. Wetlands of Special State Concern are regulated by Maryland Department of the Environment; your project may need review by Maryland Department of the Environment for any necessary permits associated with this wetland. This wetland is designated, in part, due to the presence of Sensitive Joint-vetch (*Aeschynomene virginica*) which occurs at the northwest quadrant of the US 13/MD 363 intersection. This species is listed as endangered by the State of Maryland, and as threatened by the U.S. Fish and Wildlife Service. While it is unlikely that the proposed work would directly impact this population, we would encourage the applicant to adhere stringently to all appropriate best management practices for sediment and erosion control during all work in this area.

Where the project route crosses Taylor Branch and Jones Creek, it is important to note that portions of these wetlands are also designated as Wetlands of Special State Concern and are regulated by Maryland Department of the Environment.

Please be sure to let us know if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation. Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Byrne". The signature is fluid and cursive, with the first name "Lori" being more prominent.

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2019.2090.so
Cc: C. Shearin, CAC
P. Stango, DNR
K. Cullen, US FWS

Weber, Justin

From: Weber, Justin
Sent: Friday, February 21, 2020 4:16 PM
To: 'Lori Byrne -DNR-'
Cc: Charlotte Shearin -DNR-; Peter Stango -DNR-; Cullen, Kathleen
Subject: RE: T&E Species Project Review Request-Somerset County Gas Main Expansion

Good afternoon Lori,

Thank you for the response letter. To give an update on this project, the proposed pipeline would be located on the western side of U.S. Route 13, and so would avoid impacts to the *Polygala cruciata* subpopulations. The Manokin River, Taylor Branch, and Jones Creek, as well as adjacent wetlands, are proposed to be crossed using Horizontal Directional Drilling (HDD) construction methods, to avoid direct impacts to those resources. Chesapeake Utilities will be applying for authorization from the Maryland Department of the Environment and the U.S. Army Corps of Engineers for the wetland and waterway crossings.

Thank you,

Justin Weber | Project Scientist



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From: Lori Byrne -DNR- <lori.byrne@maryland.gov>


Sent: Thursday, February 13, 2020 11:28 AM

To: Weber, Justin <JWeber@gtaeng.com>

Cc: Charlotte Shearin -DNR- <charlotte.shearin@maryland.gov>; Peter Stango -DNR- <peter.stango@maryland.gov>; Cullen, Kathleen <kathleen_cullen@fws.gov>

Subject: Re: T&E Species Project Review Request-Somerset County Gas Main Expansion

Dear Mr. Weber,
Please see attached for our response to your review request. Thank you.
Lori Byrne

	<p>Lori A. Byrne Environmental Review Coordinator Wildlife and Heritage Service Department of Natural Resources 580 Taylor Avenue, E-1 Annapolis, MD 21401 410-260-8573 (office) 410-260-8596 (FAX) lori.byrne@maryland.gov</p>
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On Fri, Dec 27, 2019 at 11:58 AM Weber, Justin <JWeber@gtaeng.com> wrote:

Hello,

Please see the appended letter requesting a review of records for known threatened or endangered species within the vicinity of the Somerset County Gas Main Expansion project, in Somerset County. A *Topographic Map* is also appended. Please feel free to call or email if you need additional information, or would like a hard-copy of this request.

Thank you,

Justin Weber | Project Scientist



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Weber, Justin

From: Brian D Hopper - NOAA Federal <brian.d.hopper@noaa.gov>
Sent: Monday, January 6, 2020 11:55 AM
To: Weber, Justin
Subject: Re: Somerset County Gas Main Expansion

Hi Justin,

Your email and attached map dated January 6, 2020, regarding Chesapeake Utilities' proposal to construct, own, operate and maintain approximately 9.76 miles of 6-inch diameter buried natural gas pipeline, extending from the intersection of Mercer Road and Ocean Highway (U.S. Route 13) southwest to the intersection of U.S. Route 13 and Revells Neck Road, in the Princess Anne area of Somerset County, Maryland, requested information on the presence of ESA-listed species under our jurisdiction.

Although four species of sea turtles, shortnose sturgeon, and Atlantic sturgeon originating from five Distinct Population Segments (DPS) are known to occur in the Chesapeake Bay and its rivers and tributaries, based on the activities associated with the project, the location of the project, and information you provided in your email and map, we believe that these species will not be exposed to any direct or indirect effects of the action. Therefore, we do not believe a consultation in accordance with section 7 of the Endangered Species Act (ESA) is necessary. As such, no further coordination on this activity with the NMFS Protected Resources Division is necessary at this time. Should there be additional changes to the project plans or new information becomes available that changes the basis for this determination, further coordination should be pursued. Please contact me (410-267-5649 or brian.d.hopper@noaa.gov), should you have any questions regarding these comments.

Regards,
-Brian

On Mon, Jan 6, 2020 at 11:36 AM NMFS.GAR ESA.Section7 - NOAA Service Account <nmfs.gar.esa.section7@noaa.gov> wrote:

Tech assist request - possibly could just point them to the Section7 Mapper?

----- Forwarded message -----

From: **Weber, Justin** <JWeber@gtaeng.com>
Date: Mon, Jan 6, 2020 at 10:03 AM
Subject: Somerset County Gas Main Expansion
To: nmfs.gar.esa.section7@noaa.gov <nmfs.gar.esa.section7@noaa.gov>

Good morning,

Chesapeake Utilities (Chesapeake) is a natural gas distribution company headquartered in Dover, Delaware. Chesapeake is a fully owned subsidiary of Chesapeake Utilities Corporation, which is a diversified utility company engaged in natural gas distribution, transmission and other related businesses on the Delmarva Peninsula.

Chesapeake is planning a project to construct, own, operate and maintain approximately 9.76 miles of 6-inch diameter buried natural gas pipeline, extending from the intersection of Mercer Road and Ocean Highway (U.S. Route 13) southwest to the intersection of U.S. Route 13 and Revells Neck Road, in the Princess Anne area of Somerset County, Maryland. The pipeline will generally be located within public road rights-of-way, approximately five (5) feet from the edge of the roadway pavement. The pipeline will cross three tidal waterways, Manokin River, Taylor Branch, and Kings Creek. Chesapeake proposes to install the pipeline beneath the waterways using horizontal directional drilling (HDD) construction methods.

On behalf of Chesapeake, Geo-Technology Associates, Inc. (GTA) respectfully requests that you verify the presence or absence of threatened or endangered species on, or in the vicinity, of the project area and notify us in writing of your findings. A Topographic Map depicting the approximate limits of the project is attached. Should you have any questions or need additional information, please contact this office at (410) 515-9446.

Thank you,

Justin Weber | Project Scientist



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NOAA Fisheries
Greater Atlantic Regional Fisheries Office

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410 267 5649

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<http://www.greateratlantic.fisheries.noaa.gov/>

